

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

*In re: Heritage Valley Health
System, Inc., data security cases.*

)
) Civil Action Nos. 23-1212
) 23-1320
) 23-1633
) 23-1847
)
) Judge Cathy Bissoon
)

ORDER

As summarized in defense counsel's Motion to consolidate and stay in Bartholomew 23-1633 (Doc. 10), five materially similar lawsuits are presented. Two of the cases were removed from state court, Doe 23-1044 (Hardy, D.J., presiding) and Robinson 23-1847 (Bissoon, D.J., presiding). Judge Hardy granted the motion to remand in Doe 23-1044, and Heritage has appealed that decision to the Court of Appeals for the Third Circuit. Plaintiffs in Robinson 23-1847 advise that they similarly will file a motion to remand.

The other three cases were brought natively, on the basis of federal question jurisdiction, and are pending before the undersigned: Redd 23-1212; Bowen 23-1320; and Bartholomew 23-1633.

Defense counsel reports, and the undersigned has little reason to doubt, that there has been collaboration and coordination between the various plaintiffs' attorneys. At least some of the lawyers, however, appear to have resisted Heritage's proposals to establish manageable bounds for the litigation.

Any putative objections notwithstanding, the point seems too obvious to belabor. The subject matter of this litigation cannot properly and meaningfully be litigated by way of

numerous overlapping lawsuits. Nor can the litigation reasonably proceed when it remains unclear whether, and which of, the subject-claims (if any) will be litigated in state court, as opposed to federal court. To ignore these glaring complications would require the Court, and litigants, to bury their proverbial heads in the sand. While one or more of plaintiffs' counsel may wish for that to be the case, the Court cannot abide.

As an exercise of the inherent authority to control its dockets, the Court hereby **ORDERS** that the federal-question cases, **Redd 23-1212**, **Bowen 23-1320** and **Bartholomew 23-1633**, are and/or remain **STAYED**, pending resolution of the matters of remand presented in **Doe 23-1044** and **Robinson 23-1847**. Heritage's obligations to answer or otherwise respond to the pleadings, in all of the cases before the undersigned, are held in abeyance, pending further order of court.

Finally, Heritage's Motion in **Bartholomew 23-1633 (Doc. 10)** is **GRANTED**, as relates to the stay, and it is **DENIED WITHOUT PREJUDICE** regarding consolidation, which may be revisited as and when appropriate.

IT IS SO ORDERED.

November 16, 2023

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record